Exhibit A

Superior Court - Middlesex
Docket Number 2581CV00143

RECORDED PORTIONS OF MASSACHUSETTS LEGISLATURE'S
JOINT COMMITTEE ON LABOR AND WORKFORCE
DEVELOPMENT SESSION
APRIL 16, 2025

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(Transcript Prepared from Audio File)
Roxanne C. Costigan

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        TIMESTAMP 0:29:44 - 0:35:50:
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        REP. McCURTRY: Continuing with testimony,
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   we're going to call on Mr. Rob McCarron, the
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   president of the AICUM, to testify in House
   2014. Mr. McCarron, welcome.
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                       Thank you, chairman.
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        MR. McCARRON:
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   you, Chair McMurtry, Chair Olivera good to see
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   you. Good to see you, members of the committee.
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   Thank you for this opportunity. My name is Rob
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               I'm president of the Association of
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   Independent Colleges and Universities in
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   Massachusetts. We are 58 private, nonprofit
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   colleges across the Commonwealth.
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   educate 290,000 students and employ nearly
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   100,000 people and we are anchors of local
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   economics and represent a $71 billion impact for
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   the state every year and I'm here to offer my
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   support for House Bill 2164 and Senate Bill
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   1369. And I want to thank Representative Jeff
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   Roy and Senator Mike Rush for filing these
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           Both Chair Roy, I mean Representative
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   Roy, and Senator Rush recognize that the
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   legislation is needed to correct an unintended
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consequence in the Massachusetts Wage Act and, you know, the Wage Act was enacted to target unscrupulous employers, those who did not pay their employees in full and on time; however, there's been an unintended consequences have resulted from. Primarily two things. One is an oversight in the statute for providing exceptions for certain types of employment that historically and reliably have paid employees on basis, and also the SJC, the Supreme Judicial Court's decision in 2022 and Reuter v. City of Malden to apply the automatic trebling of damages to the underlying wages rather to the statutory interest, and these unintended consequences were only revealed recently with the filing of four class action lawsuits against colleges and universities in Massachusetts and House 2164 and Senate 1369 seek to address devastating financial impact to these institutions that would result from these lawsuits. And again, because of the Supreme Court decision in the Reuter case greatly amplifies the potential damages in a way that

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does not align with the legislative intent of the Statute. It places hundreds of millions of dollars and even billions of dollars at issue and it's very important to note that all of the employees of the institutions that have been targeted by these class action lawsuits received their full pay and on the regularly scheduled There are no allegations that an basis. employee was paid less than what they were owed and there are no allegations that any employee was paid later than the established pay structure. Again, the intent of the Mass Wage Act is to go after those unspecified employers, and there is no allegation of any of that in these cases. And the financial harm to the institutions is entirely disproportionate to the potential damages suffered by the affected employees and the resulting harm to the institutions would dramatically affect their ability to serve students and employees. And I also wanted to raise that these lawsuits have been filed and what are, you know, unprecedented, unprecedented uncertainty for

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1 colleges and universities. We have seen 2 significant threats to international students 3 and when you think of international students, 4 that's a \$4 billion benefit to the Massachusetts economy every year to have those students here 5 6 on our campuses with the talents and interests 7 that they bring every year. There's also been 8 cuts to research funding; existing contracts 9 have been terminated; and the new awarding of 10 newer grants has been slowed down considerably. 11 That's a huge impact to the Massachusetts 12 economy, \$3.5 billion every year. Layer on 13 attacks on DEI, threatening schools to cut off 14 their financial aid funding if they violate a 15 very ambiguous description of DEI threats to 16 increase and expand the endowment tax cut 17 It's just the really financial aid. 18 unprecedented time for higher education 19 generally and when you layer on these lawsuits 20 the impact to these institutions would be 21 significant, severe and it would affect 22 students; it would affect financial aid; it 23 would affect jobs; it would affect research.

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And both of the bills seek to treat employees of nonprofit colleges and universities in a manner that is consistent with exemptions that exist in the statute and also maintain the critical role of the statute to go after unscrupulous employees and that I would ask for the committee's support for these legislation, both of these bills. Thank you, Mr. McCarron. REP. McCURTRY: appreciate you being here in person to testify, obviously a very significant and not timely matter. Look, we and the legislature, we try to do the best we can but we don't get it right all the time and occasionally there's an unintended consequence. One of the beauties of the work that we do is have an opportunity to go back and, you know, address these matters. really important that you are here. appreciate that we're hearing about on a daily basis and it's important for you to share the impact that it's going to have on the institution of higher education and others Thank you. across the Commonwealth.

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> 1 members of the committee have questions for Mr. 2 McCarron. Senator, thank you, Mr. Chairman. 3 Thank you, Rob, for your testimony. What are 4 the four institutions that are involved in this 5 class action lawsuit? 6 MR. McCARRON: Amherst College, Boston 7 University, Harvard University and Currie 8 College. And I know that they are also actively 9 pursuing via social media other campuses and 10 that's why we're concerned more broadly about 11 the impact could be even worse. Thank you. Any 12 questions? Any questions? Thank you so much. 13 Thank you very much.

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1 TIMESTAMP 1:19:15 - 1:21:57: 2 REP. McCURTRY: Thanks for being here. 3 Joining us remotely is the Associate Industries 4 Massachusetts, Mr. Sam Lawson. Sam, can you 5 hear us? Through the miracle of technology. 6 That's very incredible things with technology 7 they did just zip a little press of a button and 8 you appear. So joining us in person from the Associated Industries of Massachusetts is Mr. 9 10 Sam Lawson. Thank you, Sam. 11 MR. LAWSON: Good afternoon, Chairman, Chair 12 Olivera, members of the committee. My name is 13 Sam Lawson. I'm the vice president of 14 government affairs, Associated Industries of 15 Massachusetts. AIM is the largest statewide 16 business association with over 3,400 members and 17 100 different, 50 different sectors of the 18 economy. We represent some of the largest 19 employers in the state down to some many small 20 and medium sized mainstream businesses or 21 average members about 200 employees. As the 22 leading voice of the employer community, we 23 often have a strong interest in the members

1 before this committee and the interests, the 2 issues that you work on. Last session we worked 3 with the chairs to develop and eventually pass 4 historic pay transparency legislation. 5 believe our collaboration with advocates this 6 committee and the staff can serve as a model for 7 achieving consensus and outcomes that work for 8 everyone. We look to continue to build on that 9 process this session. Our members' primary 10 concern this session revolves around the cost of 11 doing business and increasingly unstable 12 regulatory environment at the federal level. Ιn 13 particular, for this committee we're concerned 14 with one, first and foremost, the structural 15 insolvency of the state's unemployment insurance 16 fund. We look forward to working with you all 17 to find a solution that works for everyone. 18 Two, the spike in kind of gotcha lawsuits 19 targeted using the Wage Act to target many 20 members for technical violations. You heard 21 some of the higher ed institutions dealing with 22 that earlier; it's probably in a lot of 23 industries as well. Three, continue issues with

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1 the costs and implementation of paid family 2 leave program, and for the state what we're 3 calling the statewide talent crisis. We have 4 employers of all sizes and shapes that cannot 5 fill the talent that they need despite low and 6 persistently low unemployment, we still have VAC 7 across many sectors in many industries. 8 forward to working with you, all the session and 9 the committee and your staff and I welcome any 10 questions at this time. 11 REP. McCURTRY: Since you're here, any 12 questions? We appreciate you showing up in 13 person. 14 MR. LAWSON: Of course. Happy to be here 15 and look forward to the collaboration this 16 session. 17 REP. McCURTRY: Productive measures taken 18 up in past sessions and there's obviously a lot 19 of significant issues, so thank you, Sam. 20 21

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I, Roxanne C. Costigan, Registered

Professional Reporter, do hereby certify that
the foregoing testimony prepared from designated
portions of audio files furnished by the parties
herein is true and accurate to the best of my
knowledge and belief.

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7/31/2025____ Date Royanne C. Costigan
Roxanne C. Costigan

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